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ALLERGAN USA, INC. and  
ALLERGAN INDUSTRIE, SAS

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ALLERGAN USA, INC. and  
ALLERGAN INDUSTRIE, SAS,

Plaintiffs,

v.

MEDICIS AESTHETICS, INC.,  
MEDICIS PHARMACEUTICAL CORP.,  
VALEANT PHARMACEUTICALS  
NORTH AMERICA LLC,  
VALEANT PHARMACEUTICALS  
INTERNATIONAL, VALEANT  
PHARMACEUTICALS  
INTERNATIONAL, INC., AND  
GALDERMA LABORATORIES, L.P.

Defendants.

Case No. SACV13-01436 AG (JPRx)

**PLAINTIFFS' MOTION FOR  
PARTIAL SUMMARY JUDGMENT  
OF NO INVALIDITY FROM PRIOR  
USE**

Judge: Hon. Andrew J. Guilford  
Hearing: May 18, 2015 at 10:00 a.m.  
Ctrm: 10D

Discovery cutoff date: May 15, 2015  
Pretrial conference date: July 20, 2015

**Trial date: August 4, 2015**

PLAINTIFFS' MOTION FOR PARTIAL SUMMARY  
JUDGMENT OF NO INVALIDITY FROM PRIOR  
USE

Case No. 8:13-cv-01436-AG-JPR

1 TO ALL DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

2 Please take notice that on May 18, 2015 at 10:00 a.m., or as soon thereafter as  
3 the matter may be heard, in Courtroom 10D of the United States District Court for  
4 the Central District of California, 411 West Fourth Street, Room 1053 Santa Ana,  
5 CA 92701-4516, Plaintiffs Allergan USA, Inc. and Allergan Industrie, SAS will and  
6 do move this Court pursuant to Federal Rule of Civil Procedure 56 for an order  
7 granting partial summary judgment and eliminating Defendants' anticipation and  
8 obviousness defenses based on uncorroborated allegations of prior public use. The  
9 motion is based on the attached memorandum and exhibits in support, the reply brief  
10 to be filed later, and any arguments Allergan makes at the hearing.

11  
12 Dated: March 25, 2015

FISH & RICHARDSON P.C.

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15 By: /s/ Craig E. Countryman  
16 Craig E. Countryman

17 Attorneys for Plaintiffs  
18 ALLERGAN USA, INC. AND  
19 ALLERGAN INDUSTRIE, SAS  
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28 PLAINTIFFS' MOTION FOR PARTIAL SUMMARY  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on March 25, 2014 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

/s/ Craig E. Countryman

Craig E. Countryman